



Senate

General Assembly

January Session, 2011

File No. 309

Senate Bill No. 1021

Senate, March 31, 2011

The Committee on Commerce reported through SEN. LEBEAU of the 3rd Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING LICENSED PROFESSIONAL ENGINEERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) Not later than January 1,
2 2012, the Commissioner of Consumer Protection shall develop and
3 maintain a public on-line electronic database of all professional
4 engineers licensed by the state and qualified, pursuant to section 32-
5 31a of the general statutes, as amended by this act, to certify to a state
6 agency with authority to issue a permit for an economic development
7 project that such economic development project is in compliance with
8 all requirements for issuance of a state permit by such agency. Such
9 database shall include the name and address of the business entity
10 such professional engineer is employed by or affiliated with. The
11 commissioner shall annually update such database.

12 Sec. 2. Section 32-31a of the general statutes is repealed and the
13 following is substituted in lieu thereof (*Effective from passage*):

14 (a) As used in subsection (b) of this section:

15 (1) "Economic development project" means any project which is to
16 be used or occupied by any person for (A) manufacturing, industrial,
17 research, office or product warehousing or distribution purposes or
18 hydroponic or aquaponic food production purposes and which the
19 Connecticut Development Authority determines will tend to maintain
20 or provide gainful employment, maintain or increase the tax base of
21 the economy, or maintain, expand or diversify industry in the state, (B)
22 controlling, abating, preventing or disposing land, water, air or other
23 environmental pollution, including, without limitation, thermal,
24 radiation, sewage, wastewater, solid waste, toxic waste, noise or
25 particulate pollution, except resources recovery facilities, as defined in
26 section 22a-219a, used for the principal purpose of processing
27 municipal solid waste and which are not expansions or additions to
28 resources recovery facilities operating on July 1, 1990, (C) the
29 conservation of energy or utilization of cogeneration technology or
30 solar, wind, hydro, biomass or other renewable sources to produce
31 energy for any industrial or commercial application, or (D) any other
32 purpose which the authority determines will materially contribute to
33 the economic base of the state by creating or retaining jobs, promoting
34 the export of products or services beyond state boundaries,
35 encouraging innovation in products or services, or otherwise
36 contributing to, supporting or enhancing existing activities that are
37 important to the economic base of the state.

38 (2) "Professional engineer" means a person who is qualified by
39 reason of his knowledge of mathematics, the physical sciences and the
40 principles of engineering, acquired by professional education and
41 practical experience, to engage in engineering practice, including
42 rendering or offering to render to clients any professional service such
43 as consultation, investigation, evaluation, planning, design or
44 responsible supervision of construction, in connection with any public
45 or privately owned structures, buildings, machines, equipment,
46 processes, works or projects in which the public welfare or the
47 safeguarding of life, public health or property is concerned or
48 involved, and who is licensed by the state of Connecticut as a
49 professional engineer pursuant to chapter 391.

50 (b) Notwithstanding any provision of the general statutes, any
51 professional engineer licensed in accordance with the provisions of
52 chapter 391 and included in the database created pursuant to section 1
53 of this act may certify to a state agency with authority to issue a permit
54 for an economic development project under any provision of the
55 general statutes that such economic development project is in
56 compliance with all requirements for issuance of a state permit by such
57 state agency.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	32-31a

CE *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 12 \$	FY 13 \$
Consumer Protection, Dept.	GF - Cost	15,135	12,000
Comptroller Misc. Accounts (Fringe Benefits) ¹	GF - Cost	918	918

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in a cost of \$16,053 in FY 12 and \$12,918 in FY 13 as it requires the Department of Consumer Protection (DCP) commissioner to develop and maintain a public on-line database of engineers who are qualified to certify economic development projects. There are currently 8,800 engineers in the state licensed by the DCP.

One-time costs in FY 12 totaling \$3,135 include a licensing supervisor at a cost of (20 hours at \$40 per hour) to amend applications and create new fields for the CAVU e-licensing system; CAVU e-licensing support at a cost of \$900 (6 hours at \$150 per hour) to amend sequel statements for online roster reports; and mailing costs of \$1,435 for the 3,500 engineers that do not utilize e-licensing.

An ongoing cost of \$12,918 would occur due to the need of a one quarter-time Office Assistant to input and update data and follow up with licensees that fail to provide information or need information updated.

The Out Years

¹ The fringe benefit cost associated with the 10 hours a week results from 7.65% for FICA (Federal Insurance Compensation Act) for such employees.

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**SB 1021*****AN ACT CONCERNING LICENSED PROFESSIONAL ENGINEERS.*****SUMMARY:**

By law, certain state-licensed engineers may certify to state permitting agencies that economic development projects comply with permitting requirements. This bill requires the Department of Consumer Protection (DCP) commissioner to develop and maintain a public on-line database of engineers who are qualified to certify these projects. It also requires engineers to be in the database to make such certifications.

The bill requires the DCP commissioner to create the database by January 1, 2012 and annually update it. The database must include the name and address of the listed engineers' employers or business entities with which they are affiliated.

EFFECTIVE DATE: Upon passage

BACKGROUND***Certifying Economic Development Projects***

The law specifies the professional criteria that licensed engineers must meet before they can certify that an economic development project complies with state permitting requirements (CGS § 32-31a). But it does not indicate if the agency funding the project, the project's developer, or the agency issuing the permit must approve the engineer. Nor does it state if the permitting agency must issue the permit when the engineer certifies compliance.

Eligible Engineers

Professional licensed engineers eligible to certify projects as specified above must be educated or receive practical training in

mathematics, physical sciences, and engineering principles to work as engineers. Their work may include consulting, investigating, evaluating, planning, designing, or supervising construction projects related to public or privately owned structures, buildings, machines, equipment, processes, or works. The projects must affect the public welfare or safeguard life, public health, or property (CGS § 32-31a(a)).

Eligible Projects

The certification option is available for four types of economic development projects. The first type includes many traditional economic development uses, such as manufacturing, industrial, research, office, product warehousing and distribution, and hydroponic or aquaponic food production. These uses qualify for permit certification if the Connecticut Development Authority (CDA) determines they will maintain or create jobs; maintain or increase the tax base; or maintain, expand, or diversify state industry.

A wide range of environmental quality projects also qualify for permit certification. Eligible projects include controlling, abating, preventing, or disposing of land, water, air, and other environmental pollution, including thermal, radiation, sewage, wastewater, solid waste, toxic waste, noise, or particulate pollution. They do not include new resources recovery facilities used mainly to process municipal solid waste.

Alternate energy and energy conservation projects involving commercial or industrial applications also qualify for permit certification. They include projects using cogeneration technology or solar, wind, hydro, biomass, or other renewable energy sources.

Lastly, permit certification is also available to any type of project that CDA determines will materially contribute to the state's economic base by creating or retaining jobs, promoting exports, encouraging innovation, or supporting the state's economic base in other ways (CGS § 32-31a(a)).

COMMITTEE ACTION

Commerce Committee

Joint Favorable

Yea 17 Nay 0 (03/17/2011)